

10/10/08-22:43

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**OCT 10 2008**

US 08/809,620 (TE20081009)

Preliminary reply to OA mailed on 4/30/08

Dear Sir,

**A - Amendments supposedly filed on 7/12/06 -**

I have not found in my files documents which can be filed by PTO on 7/12/06./

I have faxed documents on 7/16/06, 7/17/06 and 7/18/06.

If you have other documents, please give me their references (in the right of top margin).

**B - Substitute Specification -**

In fax on 7/17/06, reference (TE20060717a), you can see page 3 a new abstract, page 4 an instruction to replace the specification, and page 5 a statement that the substitute specification does not include new matter, under 37CFR 1.125(b).

In an other fax on 7/17/06, reference (TE20060717c), you can see pages 13-17 a working document showing no new matter (these 5 pages sent in previously fax on current 10/05, before rereading of my complete files).

In these situations, I do not understand respectfully your comment, page 3 of your Office Action on 4/30/08, chapter 3, paragraph First, that I have not given the mentioned documents.

Therefore I consider, with your agreement, the Substitute Specification absolutely in order.

**C - Drawings -**

The drawings must be examined now, with your agreement, only under the substitute specification.

In document (TE20060717a), you can see page 7, lines 4-7, **BRIEF DESCRIPTION OF THE FIGURES**, that it is only 6 figures.

In document (TE20060717c), "Amended prior version", page 7, lines 28-36, you can see also that is only 6 figures in the substitute specification and not 10, as in the former specification.

On an other hand, and with your agreement. I do not understand why you mention former figures 18-20, 35 and 43.

With the substitute specification these former figures 18-20 are become figures 3-5, former figure 35 is become figure 5, former figure 43 is become figure 1, and new figure 57 is become new figure 6.

This is (perfectly, I hope, with your agreement!) explained in document (TE20070509), pages 12-13, second set, faxed on May 13, 2007

The applicant respectfully invites the examiner to see again the document (TE20010528) sent by DHL on 06/28 2001, page 2, to see the path from the 56 former figures numbers to the 10 figures number of the prior version of the current substitute specification.

With a new sheet for the new figure 6, to answer to your request, there are 3 sheets, 1/3, 2/3, 3/3.

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The sheet 1/3 is logically, and with your agreement, "New sheet" because it was not in the former drawings a sheet with the former figure 43 (become figure 1) and the former figure 35 (become figure 2).

The sheet 2/3 is "Replacement sheet" because it was in the former drawings one sheet 6/15 with former figures 18, 19 and 20, become figures 3, 4 and 5.

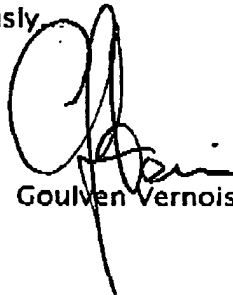
The new sheet 3/3 is of course "New sheet".

(With your agreement, it is illogical to remove this new figure 6 from the sheet where are the figures showing folding of the mirror or actuating membrane, and also not ecological to use one sheet for one single narrow line!)

D - Claims - The reading of 37 CFR 1.121(c), kindly given, shows that these texts can be a perfect machine to eliminate an application, outside its merits, if you agree of course!

I am going to study them seriously.

Truly Yours



Goulven Vernois

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The text (TE20010611a) is the exactly resulting text after cancellation, but with new underlined "State of the former art" comprising "Leningrad Prec. Mech. Opti" and "Andreas Theodoro Augousti".

Nothing in the text (TE20010611a) raises problems of new issue/matter.

The text (TE20010611b) is the same as (TE20010611a) with only new indices and new figure numbers, and minor underlined amendments, page 1, line 38, and page 2, line 1.

The canceled figures are now : 1 to 17, 21 to 30, 33, 34, 35, 40, 41, 42, 44 to 56.

**Correspondence between former and new figures numbers and indexes:**

New number figure (former number figure)

1 (43); 2 (31); 3 (32); 4 (36); 5 (37); 6 (38); 7 (39); 8 (18); 9 (19); 10 (20)

Former number figure (new number figure)

18 (8); 19 (9); 20 (10); 31 (2); 32 (3); 36 (4); 37 (5); 38 (6); 39 (7); 43 (1)

New index (former index)

1 (45); 2 (46); 2.1 (46.4); 2.2 (46.9); 2.3 (46.3); 2.4 (46.8); 3 (64); 4 (61); 5 (62); 5.1 (63); 5.2 (92); 5.3 (93); 5.4 (94); 5.5 (95); 6 (96); 7 (73); 8 (74); 9 (75); 10 (90); 11 (91).

Former index (new index)

45 (1); 46 (2); 46.3 (2.3); 46.4 (2.1); 46.8 (2.4); 46.9 (2.2); 61 (4); 62 (5); 63 (5.1); 64 (3); 73 (7); 74 (8); 75 (9); 90 (10); 91 (11); 92 (5.2); 93 (5.3); 94 (5.4); 95 (5.5); 96 (6).

The text (TE20010611c) is the same text as (TE20010611b) with only displacement of the paragraph **Mirror and membrane folding**, from the page 4 of the text (TE20010611b) to the page 5 of the text (TE20010611c), for best logical order.

## 2) CLAIMS

### **Underlining of newly-added materials**

On November 07, 1999, applicant sent a fax at 19 h 50 (French hour).

The first page had reference (TE991106) and the second page the reference (TE991015).

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